IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 105 OF 2005

SHRI JUDAS NOBERTO FERNANDES,BENAULIM GOA. ....Petitioner

Versus

SMT.ARGENTINA SEQUEIRA,BICHOLIM GOA. ....Respondent

Shri C. A. Coutinho, Advocate for the petitioner.

Coram:- R. M. LODHA, J.

Date:- 13th October, 2005

P.C.

Heard Mr. C. A. Coutinho, the learned Counsel for the petitioner.

2. The contention of the learned Counsel for the petitioner that since the suit has been filed by the petitioner for annulment of marriage , no interim maintenance is awardable, cannot be accepted.

3. The petitioner is a Teacher. The interim maintenance awarded by the Trial Court @ Rs.1000/- per month is neither excessive nor exorbitant, nor it suffers from legal infirmity.

4. The writ petition does not deserve to be entertained. Dismissed in limine. It is made clear that in case any application made by the respondent under Section 125 of the Code of Criminal Procedure is granted and maintenance is awarded, the amount that has been ordered in the impugned order, shall be adjusted therein

R. M. LODHA, J.

ssm.